THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17179 of 2006

15.9.2006

Between:

Leti Dayakar, S/o.Pitchaiah
And others

… Petitioners

AND

The District Collector, Nellore
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17179 of 2006

ORDER:

The five petitioners are residents of Venkatadripalem Village H/o.Sankavaram of Vinjamur Mandal in Nellore District. They filed the instant writ petition seeking a writ of Mandamus directing the respondents to consider the case of the petitioners for grant of D-Form pattas in respect of the lands, which are allegedly in their possession. At the stage of admission itself, the third respondent has filed a detailed counter affidavit *inter alia* stating that pursuant to notice of enquiry dated 16.12.2005, enquiry was conducted in the presence of the petitioners and having found that petitioners 1, 3, 4 and 5 are not eligible, necessary endorsements were given on 10.4.2005 informing that the assignment of land cannot be made in their favour. It is also stated that necessary steps are being taken to assign the land to the second petitioner, who is eligible. The reasons were given in the counter affidavit for rejection of the request of the petitioners. However, appeal is provided under para 18 of BSO 15, for rejection of request for assignment of land. This Court is not inclined to go into the merits of the case.

In view of the above, liberty is given to the petitioners to file appeal before the jurisdictional Revenue Divisional Officer, within a period of one week from the date of receipt of a copy of this order. As and when such appeal is filed, the RDO may pass appropriate orders, if necessary by conducting necessary enquiry. Till then, the respondents shall not assign the land to others.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(**V.V.S.RAO,J**)

September 15, 2006.

YS